

REMARKS

Claims 1, 11, 14 and 17 have been amended.

Claims 2, 5-10, 16 and 19 have been canceled.

Claims 1, 3-4, 11-15, 17- 18 and 20 are pending.

Claim Rejections

35 U.S.C. §102

The Office Action rejected Claims 2-13 and 16 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,964,420 to Hampton. Applicant submits that the rejection is now moot because Claims 2, 5-10 and 16 have been canceled. Claims 3-4 and 11-15 now depend from amended Claim 1.

35 U.S.C. §103

The Office Action rejected Claims 1 and 17-20 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 4,256,241 to Mesic in view of U.S. Patent No. 6,761,157 to Bartek. Applicant respectfully traverses the rejection. During a telephonic interview with Examiner Barney on January 24, 2006, Attorney for Applicant Greg O’Bradovich pointed out several elements that could not be found in the cited references. These elements include the protrusion of the secondary tube into the approximate center of the hollow interior of the main tube, wherein the gravitational feed is decoupled from the high velocity airflow. Attorney for Applicant further faxed an informal proposed amendment to Examiner Barney on January 24, 2006 reflecting the above mentioned elements.

On February 13, 2006, Attorney for Applicant and Examiner had a follow-up telephonic interview in which some further proposed limitations be added including the limitation that a gravitational feed be recited, that the means for controlling the feed be after the material is dispensed from the hopper and the elements downstream of the hopper be recited. Examiner further noted that

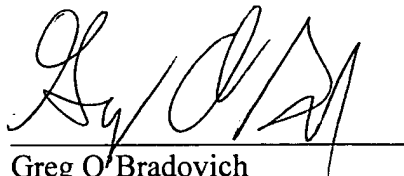
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the gravitational feed limitation be written into the specification, but is not new matter because it is shown in Figure 4.

Applicant has amended Claims 1 and 17 to recite these elements as discussed. The dependency of the remaining claims is from either Claim 1 or 17. Applicant respectfully believes that the application is now in condition for allowance for which action is respectfully requested. Applicant notes that this response is after Final but believes that the amendments place the application in condition for allowance in light of the telephonic interviews between Attorney for Applicant and Examiner.

If Examiner has any questions regarding this document, Applicant asks that Examiner contact the undersigned immediately by telephone.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Greg O'Bradovich', is written over a horizontal line.

Greg O'Bradovich
Attorney for Applicant
Registration No. 42,945

Myers & Kaplan Intellectual Property Law, LLC
1899 Powers Ferry Road
Suite 310
Atlanta, Georgia 30339
(770) 541-7444
(770) 541-7448 (fax)